IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Bruno Criere et al.

Application No.: 10/677,861

Filed: October 3, 2003

MAIL STOP AF

Group Art Unit: 1618

Examiner: Shirley V Gembeh

Confirmation No.: 4606

Title: PHARMACEUTICAL COMPOSITION CONTAINING FENOFIBRATE AND METHOD FOR THE PREPARATION THEREOF

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

All finally rejected claims in the decision of the Primary Examiner dated February 10, 2009 are hereby appealed to the Board of Patent Appeals and Interferences.

☐ The appeal fee was previously paid on _____. Therefore, no appeal fee is now required.

☐ Enclosed is the appeal fee of: ☐ $ 540 ☐ $ 270

☐ Charge _____ to Deposit Account No. 02-4800 for the fee due.

☐ A check in the amount of _____ is enclosed for the fee due.

☒ Charge $ 540 to credit card.

☐ A Petition for Extension of Time is enclosed.

☐ Small entity status is hereby claimed.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: June 8, 2009

By: _____
Brian P. O'Shaughnessy
Registration No. 32747

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620